TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE Transcriber's Office

February 25, 1998 LR 45

these terms? In other words, since we say "any class", it's not limited to what's being discussed here, I don't believe.

SENATOR WICKERSHAM: That is not the intent, Senator, but if you have particular concerns about that and want to bring an amendment to the amendment, I'm not going to raise objections. We thought that was clarifying language. If you can read that in a way that causes difficulties and is not clarifying, it is not something that we feel...that I feel strongly about.

SENATOR CHAMBERS: Okay. And I will tell you why I say it, even though I'm opposed to the bill. What the courts have said is that any language, especially in a constitution, is going to be given significance wherever possible. And since "such" is the word used throughout and then we put "any", "any" would have a different meaning from "such". But if we reinstated "such", then I don't see that hurting what it is you're trying to do, but I wouldn't want the word "any" to be inserted and perhaps give even an arguing position, because I don't know how a court might rule, that this means something different or broader than what the original did...meant. I think with the original word "such" it's clear that we've got one discrete item or element that we're dealing with here and all of the language is uniform and consistent, so I wouldn't want to insert the word "any". That's just my part. So if you wouldn't object, then I will draft an amendment. But it's such a minor one, it will come up much later, but I wanted to alert you to it; and that is not a part of my attack on the bill. I assure you that I might have a battleship that will do far more damage, if I'm pocket successful, than this little pea shooter action here. think it is signifi. .nt, at least the way I read the language.

SENATOR WICKERSHAM: All right.

SENATOR CHAMBERS: So I wanted to alert you. Thank you, Senator Wickersham. And I want to use the rest of my time. When the public rejects an idea, the Legislature is entitled to bring it back again and again and again to see if they can make it the choice of men and women. But I am not of a mind to support this and I'm glad that the public rejected it, because it at least gives me an arguing point. The notion of mergers for the purpose of giving what they call property tax relief, especially